

Amendment No. 1 to HB0994

**Fowlkes
Signature of Sponsor**

AMEND Senate Bill No. 799*

House Bill No. 994

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-15-401(a), is amended by designating the current language as subdivision (1) and by inserting the following new language to be designated as subdivision (2):

(2) Any person who knows she is pregnant with a child of any gestational age, from fertilization through birth of the child, and who knowingly, other than by accidental means, ingests any illegal controlled substance as defined in title 39, chapter 17, part 4, commits a Class B misdemeanor. In lieu of incarceration, the court may, in its discretion, sentence a person convicted of this offense to complete a drug treatment program approved by the court at the convicted person's own expense.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.